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Plaintiff's Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TIMOTHY LEE WINTON,

CV# 3:15-CV-00465-KI

Plaintiff,

v.

ORDER FOR ATTORNEY FEES
UNDER 42 U.S.C § 406(B)

CAROLYN W. COLVIN,
COMMISSIONER SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Pursuant to U.S.C. § 406(b), reasonable fees in the amount of \$7,653.25 are hereby awarded to Plaintiff's attorney, Nancy J. Meserow. Previously this Court awarded Plaintiff EAJA fees in the amount of \$13,178.32 to be paid to Plaintiff's attorney, Ms. Meserow, pursuant to the Equal Access to Justice Act (EAJA), 28 USC 2412 (d); and supplemental EAJA fees in the amount of \$2,277.36, also to be paid to Plaintiff's counsel, after the satisfaction of Plaintiff's debts, if any, under *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010). However, Plaintiff's attorney received no EAJA fees for her work on Mr. Winton's case. All of the EAJA fees were taken by the Treasury Offset Program to pay Plaintiff's outstanding federal debts. Therefore, when issuing the 406(b) fee check to Ms. Meserow, the Agency is therefore directed not to subtract the amount paid as EAJA fees and taken by Treasury to satisfy Plaintiff's federal debts, and to send to Ms. Meserow the \$7,653.25 attorney fees hereby ordered, by check payable to

Ms. Meserow in the amount of \$7,653. 25 Any amount then remaining from Plaintiff's awarded benefits should be released to Plaintiff by Defendant as soon as practicable.

IT IS SO ORDERED this 13th day of April, 2017.

/s/ Garr M. King

Garr King, U.S. DISTRICT JUDGE